

**Draft Summary of the Land Use, Land Management and Aesthetics Work Group Meeting
Oroville Facilities Relicensing (FERC Project No. 2100)
May 19, 2003**

The Department of Water Resources (DWR) hosted a meeting for the Land Use, Land Management and Aesthetics Work Group (LUWG) on May 19, 2003 in Sacramento.

A summary of the discussion, decisions made, and action items is provided below. This summary is not intended to be a transcript, analysis of the meeting, or to indicate agreement or disagreement with any of the items summarized, except where expressly stated. The intent is to present a summary for interested parties who could not attend the meeting. The following are attachments to this summary:

Attachment 1	Meeting Agenda
Attachment 2	Meeting Attendees

Introduction

Attendees were welcomed to the LUWG meeting; Woody Elliot representing Department of Parks and Recreation participated in the meeting via videoconference. Attendees introduced themselves and their affiliations. The LUWG reviewed the desired outcomes of the meeting. The meeting agenda and list of meeting attendees are appended to this summary as Attachments 1 and 2, respectively.

Action Items – April 21, 2003 LUWG Meeting

A summary of the April 21, 2003 LUWG meeting is posted on the relicensing web site. The Facilitator reviewed the status of action items from that meeting as follows:

Action Item #LU59: Send copy of grazing lease to the Department of Parks and Recreation.
Status: Jim Martin, DWR Resource Area Manager (RAM) stated that he faxed the grazing lease to staff at the Department of Parks and Recreation (DPR). Woody Elliot indicated that there needs to be additional follow-up between DWR and DPR regarding questions about the lease and DPR policy pertaining to grazing. The lease expires September 30, 2004. If changes to the lease were proposed, it would have to be terminated, then amended, rather than simply amended. DPR indicated that there might need to be future studies regarding grazing effects in the project area, particularly in the Diversion Pool area where this lease is located. DWR will answer questions submitted by DPR related to the grazing lease. DPR staff indicated that they would like to discuss this issue further at the next LUWG meeting.

Review of Work Group and Plenary Group Meetings

The Plenary Group did not meet in April 2003. All other work groups are working toward the development of mutually agreeable Protection, Enhancement and Mitigation Measures (PM&Es) to send along for analysis and are at varying stages in that process.

Study Implementation Update

The Work Group was provided an update on all five Land Use, Land Management and Aesthetics studies by the consultant staff.

SP-L1 (Land Use)

Steve Pavich with the consulting team informed the LUWG that the land use mapping effort is nearly complete, with several revisions currently being made based on input from last month's

LUWG meeting. The main change is that there is only one recreation land use category that is not broken down into developed and passive recreation uses. However, developed recreation sites (e.g., marinas, campgrounds) will be shown on the map. Agencies, including the U.S. Forest Service (FS), California Department of Fish and Game (DFG) and DPR will have the opportunity to review the land use maps. There are ongoing efforts on the land ownership mapping, including a first draft of a land ownership map; this information was not presented to the LUWG at this meeting: the target date for presenting the land ownership map to the LUWG is July 2003.

SP-L2 (Land Management)

This study is collecting data and contacting land management agencies.

SP-L3 (Comprehensive Plan Consistency)

The interim report for SP-L3 was distributed at the last LUWG meeting but participants who did not attended the meeting did not receive a copy. DWR will provide copies to anyone that didn't receive one on request. The comments period for the Interim Report is over. The next step on this study is to get and incorporate comments from the LUWG into the Final Report.

SP-L4 (Aesthetics)

The appendix to the SP-L4 report was distributed at the last LUWG meeting. No feedback has been received to date. Mark Greenig with the consulting team indicated that he would take photographs at high-pool conditions based on the current lake level. Roger Calloway representing DPR suggested that he would like to see the levee at the Thermalito Afterbay, which is located on DWR-owned land as a KOP and raised the issue of aesthetics regarding the viewshed along Highway 99. He suggested a potential resource action might be planting trees to screen the levee. This KOP was not included based on input from Doug Rischbieter DWR RAM for Recreation and Socioeconomics, but the LUWG decided that it should be included as a KOP. Roger also discussed the potential removal of the Oroville billboard located on the east side of Highway 99 near the fish hatchery. The Facilitator noted that the billboard issue represents a cross-resource issue because some recreation interests would like to use more billboards to attract recreation visitors to the region and may not be in favor of taking the existing billboard down. Another aesthetic issue discussed was the interest by some in the LUWG in replacing exotic species with native plants at the visitor center.

The LUWG discussed how proposed resource actions or PM&Es would be evaluated using KOPs identified in this study and how if resources actions are proposed at other locations, additional KOPs may be necessary to complete the evaluation. Comments on the appendix to the SP-L4 study are due May 27, 2003. It was clarified that KOPs are just one component of the aesthetics study, and KOPs don't preclude other aesthetic issues from being evaluated in this study. Mark Greenig indicated that he would coordinate with Curtis Creel, DWR Operations RAM on the concept of "exceedance curves" to determine "typical" water levels when evaluating KOPs. He also agreed to use historical information for the year to identify lake level at the time of the photos in the appendix.

SP-L5 (Fuel Load Management)

Linda Leeman with the consulting team indicated that since the last LUWG meeting, she has collected more information on historical fire perimeters from CDF. This information will help to refine potential areas of fire origin. A final report for SP-L5 will be available in August or September. The subsequent discussion focused on liability concerns raised by DPR staff. DPR is in the process of developing formal policy on fire liability issues and it was suggested that both DPR and DWR need to evaluate this issue from a legal perspective. Jim Martin suggested that a representative from the DPR legal department call him so that he can put him in touch with DWR's legal staff to discuss this issue further. CDF does not have information on liability issues, but counties may have some information on a case-by-case basis. It was suggested that DWR should document potential liability concerns in this study.

PM&E Development

The LUWG discussed the process and framework for the development of PM&Es. The Facilitator provided background information on the PM&E process. A Plenary Group task force was initiated to provide guidance on this process and that effort led to the development of the Resource Action Information Form (RAIF). The RAIF will include additional specific information regarding a particular resource action or PM&E. There are three ways for the RAIF to be submitted: (1) a participant can bring them to work group meetings; (2) participants may submit the forms to Rick Ramirez, DWR Program Manager who will direct them to the appropriate work group; and (3) a RAIF may be completed within the work groups (assisted by DWR and consulting staff). Other work groups have approach the process by geographic areas. Some work groups started with goal statements developed at the beginning of the relicensing process. The Recreation and Socioeconomics Work Group started with the Issue Tracker. The Facilitator suggested that this Work Group start with the Issue Tracker and decide how best to group potential resource actions.

The LUWG discussed coordination needs for the overall process of developing resource actions. DWR indicated that the RAMs are responsible for this process and have bi-weekly coordination meetings where they are developing a protocol for tracking and coordinating potential resource actions. The LUWG discussed the need for cross-work group task force meetings at some point during the relicensing process to resolve potential conflicts. The Facilitator indicated that this process would benefit from a "constraints" map that shows graphically areas that are not suitable for development (e.g. ESA issues, culturally sensitive areas, etc.).

The LUWG discussed whether the PM&Es are included in the new license, which is enforceable by FERC, or in the settlement agreement, which is not under FERC jurisdiction. Measures considered protection or mitigation would at a minimum be included in the license conditions while enhancement measures may be included in the license conditions or may be included in a settlement agreement between DWR and the participants. DWR added that enhancement measures would be analyzed to the extent feasible under NEPA.

Because land use issues are so broad, subdividing resource actions by geographic areas was not considered desirable by the LUWG. The LUWG agreed that when filling out the RAIF, it would be helpful if the participant could provide options for a particular desired outcome, particularly when costs vary greatly. The LUWG also agreed that options could be developed within the LUWG meetings and suggested there may be a need for a task force to identify and formulate potential resource actions. DWR noted that the next step could be to condense the issues contained in the Issue Tracker into potential resource actions. DWR agreed to complete this task and organize the potential resource actions into a matrix with standard "chart-toppers" currently being used by other work groups. This draft will be provided to the LUWG and discussed at the next LUWG meeting.

Other

DPR staff raised the issue of the BLM land transfer project and sought clarification on the status. Jim Martin indicated that there is the need for a meeting between the directors of DPR and DWR to discuss this issue and before any further actions are undertaken by DWR, DPR needs to respond to the letter sent from DWR to the director of DPR concerning the land transfer. Jim Martin reiterated that the land transfer could proceed in or out of the FERC relicensing process.

Next Meeting and Next Steps

The next Land Use, LUWG meeting will be:

Date: Monday, June 23, 2003

Time: 6:00 to 10:00 PM

Location: Oroville

Agreements Made

1. The decision was made to include the Thermalito Afterbay levee as a KOP to be assessed in SP-L4.

Action Items

The following list of action items identified by the LUWG includes a description of the action, the participant responsible for the action, and item status.

Action Item #LU60: Answer questions sent by DPR staff pertaining to the grazing lease. Discuss grazing issue at next month's LUWG meeting.

Responsible: DWR / LUWG

Due Date: June 23, 2003

Action Item #LU61: Provide copy of the interim report for SP-L3 (Comprehensive Plan Consistency) to LUWG participants that did not receive a copy.

Responsible: DWR

Due Date: June 23, 2003

Action Item #LU62: Assess the Thermalito Afterbay levee KOP and include in the text and appendix to L4.

Responsible: DWR/Consulting Team

Due Date: June 23, 2003

Action Item #LU63: Provide comments on the appendix to SP-L4.

Responsible: LUWG

Due Date: May 27, 2003

Action Item #LU64: Coordinate with Curtis Creel on exceedance curves for water elevation levels at Lake Oroville.

Responsible: Consulting Team

Due Date: May 26, 2003

Action Item #LU65: Distribute draft final report for SP-L5 (Fuel Load Management) at the next LUWG meeting.

Responsible: DWR/Consulting Team

Due Date: June 23, 2003

Action Item #LU66: Condense issues in Issue Tracker into resource actions and provide in matrix format.

Responsible: DWR/Consulting Team

Due Date: June 23, 2003